

# Department of Planning and Development



## **PETITION #261-16, CHESTNUT HILL SHOPPING CENTER, LLC.**

SPECIAL PERMIT/SITE PLAN APPROVAL TO ALLOW SITE AND BUILDING IMPROVEMENTS INCLUDING CONSTRUCTING NEW BUILDINGS TO ALLOW FOR EXISTING AND NEW COMMERCIAL USES, TO ALLOW FOR BUILDINGS IN EXCESS OF 20,000 SQ. FT., ALLOW A BUILDING 60' IN HEIGHT, SITE PLAN REVIEW FOR BUILDINGS WITHIN 300' OF A GREAT POND, EXTEND SPECIAL PERMIT #230-14, UPDATE SPECIAL PERMIT #417-12 AND ALLOW FOR WAIVERS TO THE REQUIREMENTS FOR PARKING FACILITIES WITH OVER 5 STALLS

**JUNE 7, 2016**

# Requested Relief



- Extension of a nonconforming structure (§7.8.2.C).
- To allow a building in excess of 20,000 SF of GFA (§4.2.2.B.1).
- Site Plan Review (§4.1.2.B.2)
- To allow for a building height of to 60 ft (§4.1.2.B.3).
- To allow construction within 300 ft of a Great Pond (§5.6).
- To extend special permit #230-14 (§6.4.22).
- Amend special permit #417-12 (§5.2.13).

# Requested Relief cont.



- To allow for a waiver of the parking stall depth (§5.1.13).
- To allow parking stalls within a setback (§5.1.8).
- To allow for waivers of the lighting and interior landscaping requirements of parking facilities containing over five stalls (§5.1.13).

# Criteria to Consider



When reviewing this request, the Council should consider:

- Special permit criteria (§7.3.3.C.1-5).
- Criteria for waiver to the parking requirements (§5.1.13).
- Criteria for waivers to the sign ordinance (§5.2.13).

# Special Permit Criteria



- The specific site is an appropriate location for the proposed use and structure. (§7.3.3.C.1)
- The use as developed and operated will not adversely affect the neighborhood. (§7.3.3.C.2)
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
- The site planning, building design, construction, maintenance or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy. (§7.3.3.C.5, for buildings > 20,000 square feet)

# Waivers to Parking Requirements



- Literal compliance with the parking requirements of the Newton Zoning Ordinance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features. (§5.1.13)

# Waivers to Signage Requirements



- Literal compliance with the number, size, location, and height of signs where it is determined that the nature of the use of the premises, the architecture of the building or its location with reference to the street is such that free-standing signs or exceptions should be permitted in the public interest. (§5.2.13)

# Consistency with *Comprehensive Plan*





# Concerns that should be addressed

